

1001 Preston Street, 7th Floor, Houston, Texas 77002 ■ (832) 927-6900

To: Harris County Judge Lina Hidalgo

From: Katie Short, Director; Amber Weed, Chief of Staff and Director of

Policy: Jessica Mahana, Analyst; and Ramin Naderi, Analyst

CC: Wallis Nader and Gabriela Lastres with the County Judge's Office;

Jonathan Fombonne, Heena Kepadia, and Nicholas Santulli with County Attorney's Office; Barbie Robinson, Dr. Ericka Brown, and Radie Said with Harris County Public Health; Dr. Esmaeil Porsa, Robert Hillier, and Dr. Anitra Beasley with Harris Health; Dr. Peggy Smith with Baylor Teen Health Clinic; Jeff Goalen, Sheronda Drew,

and Jessica Roeber with Office of Management and Budget.

Date: January 31, 2023

Re: Expanding and Promoting Family Planning Services

EXECUTIVE SUMMARY

The Harris County Judge's Office requested that the Commissioners Court's Analyst's Office (the "Analyst's Office") examine family planning services in Harris County. Specifically:

"In light of the U.S. Supreme Court's recent decision to overturn Roe v. Wade and the impending near-total ban on abortion in Texas, the County Judge's Office requests approval to direct the Commissioners Court's Analyst's Office to work with the County Attorney's Office and relevant departments to identify and recommend ways for Harris County to promote and expand access to affordable and no-cost contraception, sexual education, family planning, and other programs critical to the safety and wellbeing of Harris County women and families."

The Analyst's Office utilized existing federal and state programs, which provide funding for or otherwise support the local provision of family planning services, to define the range of services that are considered "family planning." Family planning services include: contraceptive services, pregnancy testing and pregnancy counseling, assistance to achieve pregnancy, basic infertility services, sexually transmitted disease (STD) services, preconception health services, related preventive health services, sexual education, and perinatal services.

Many factors may impact the demand for local family planning services, including the US Supreme Court decision *Dobbs v. Jackson Women's Health Organization*, which limits abortion access in the United States and may increase the local demand for the family planning services provided by Harris County and partners.

To help evaluate how Harris County can promote and expand access to family planning services, the Analyst's Office conducted interviews with and administered a survey for representatives of Harris County's health entities and five heath entities from metropolitan counties inside and outside of Texas. Findings from these interviews and surveys largely captured unique family planning services, which Harris County may consider adopting locally.

Key highlights from the interviews conducted and surveys issued:

- All eight entities interviewed reported that the impact of *Dobbs* is unknown and that their respective agencies had not implemented and did not plan to implement program or service changes as a direct result of the *Dobbs* decision.
- Two health entities stated that they are currently investigating avenues to expand access to emergency contraceptives.¹
- Two health entities located outside of Texas stated that they offer mobile healthcare for the homeless, which includes testing and treatment for sexually transmitted illnesses (STIs) and access to contraception. These services are offered either through mobile healthcare buses or mobile healthcare teams.²
- One health entity reported their county had developed their own sexual health education curriculum to train educators across the Country.³
- Two health entities stated they have specific programs dedicated to providing perinatal health services to women of color who are pregnant or want to become pregnant.⁴

Three policy considerations were identified which may aid with meaningfully promoting and expanding access to family planning programs and services:

- Monitor and evaluate changing demands for existing services, and consider increases in funding where changes in demand demonstrate need.
 Recent changes to the law may impact local need for family planning services, and Harris County Public Health with the Harris County Office of Management and Budget should monitor and evaluate ongoing changes in demands for various family planning services. In particular, the departments may want to explore capturing any clients who cannot be served in cases where demand exceeds capacity.
- Expand access to family planning services using mobile health services.
 Other jurisdictions report success utilizing mobile services for family planning services, including sexually transmitted illness services and contraceptive services, which may support increased reach for Harris County-provided services.
- **Inform residents about enhanced health insurance affordability.**Harris County may support the further dissemination of information for U.S. citizens, residents with incomes over the poverty level, and legal immigrants, even if they have incomes under the poverty level regarding access to Affordable Care Act (ACA) Health Insurance Marketplace coverage. Since subsidies were enhanced in 2021, residents with incomes between 100 150% of the federal poverty limit (FPL) have been eligible for comprehensive, no-premium health coverage and year-round enrollment in the Health Insurance Marketplace.

Data from Harris County partners on utilization of services and associate expenditures is forthcoming in an addendum that will be circulated to members of Commissioners Court when available.

The Analyst's Office acknowledges our Harris County health partners, including the Harris County Attorney's Office, Harris Health System, Harris County Public Health, and Baylor Teen Health Clinic for their contributions to this memo.

INTRODUCTION

During the June 28, 2022 Harris County Commissioners Court meeting, the Harris County Judge requested that the Commissioners Court's Analyst's Office (the "Analyst's Office") examine family planning services in Harris County. Specifically:

"In light of the U.S. Supreme Court's recent decision to overturn Roe v. Wade and the impending near-total ban on abortion in Texas, the County Judge's Office requests approval to direct the Commissioners Court's Analyst's Office to work with the County Attorney's Office and relevant departments to identify and recommend ways for Harris County to promote and expand access to affordable and no-cost contraception, sexual education, family planning, and other programs critical to the safety and wellbeing of Harris County women and families."

The original request read as follows: "In light of the U.S. Supreme Court's recent decision to overturn *Roe v. Wade* and the impending near-total ban on abortion in Texas, the County Judge's Office requests approval to direct the Commissioners Court's Analyst's Office to work with the County Attorney's Office and relevant departments to identify and recommend ways for Harris County to promote and expand access to affordable and no-cost contraception, sexual education, family planning, and other programs critical to the safety and wellbeing of Harris County women and families, including access to safe abortions where possible under the law."

After the project commenced, Court member offices and the County Attorney's Office took the lead on the question of "access to safe abortions where possible under the law." To avoid duplication of efforts and with approval of the requesting office, the Analyst's Office did not pursue additional research on the question of access to safe abortions.

This memo includes background on publicly funded and provided family planning services; a review of family planning programs established by the federal government, the State of Texas, and those currently offered by health clinics in Harris County; and family planning clientele demographics for Harris County. In addition, this memo summarizes unique approaches to family planning programs and services currently in use or being implemented in light of the recent changes in the law. Lastly, the policy options offer recommendations for expansion and promotion of family planning activities in Harris County.

METHODOLOGY

Family Planning Definition. The Centers for Disease Control and Prevention's (CDC) "Providing Quality Family Planning Services" defines "family planning" to include these core services:

- Contraceptive services;
- Pregnancy testing and pregnancy counseling;
- Assistance to achieve pregnancy;
- Basic infertility services;
- Sexually transmitted disease (STD) services;
- Preconception health services; and
- Related preventive health services.⁶

The CDC-defined core services include the services outlined in the project request: "affordable and no-cost contraception, sexual education, family planning, and other programs critical to the safety and wellbeing of Harris County women and families." Family planning will be used as an umbrella term through this memo to represent the range of services analyzed.

Other Definitions. The definitions for specific services below serve as a frame of reference for those services, and with pertinent Texas statute, provide parameters for this memo.

- Preconception Health

The term "preconception health" refers to services that a family planning program may offer to "promote the health of women and men of reproductive age before conception, with the goal of improving pregnancy-related outcomes." These services benefit men and women by improving health outcomes whether or not pregnancy is one of them.⁸

The Texas Health and Safety Code defines preconceptional care as "maternal and infant health improvement services and ancillary services appropriate for a woman before conception that are provided with the intent of planning and reducing health risks that might adversely affect her pregnancies."

Contraception

The Texas Administrative Code defines contraceptive method as "any birth control option approved by the United States Food and Drug Administration, with the exception of emergency contraception." ¹⁰

The contraceptive methods available for family planning programs include the full range of FDA-approved methods, including emergency contraception.¹¹

- Sexual Education

The CDC defines sexual health education as one that "provides students with the knowledge and skills to help them be healthy and avoid human immunodeficiency virus (HIV), sexually transmitted diseases (STDs), and unintended pregnancy."¹²

¹ The CDC's "Providing Quality Family Planning Services" guide identifies services that provide assistance to achieve pregnancy as those for "clients who want to become pregnant"

While this definition focuses on students, the CDC states that health providers can address the challenges of family planning with their clients through education and counseling along with medical services.¹³

The Texas Administrative Code does not require sexual education in schools but does give local school health advisory councils the option to recommend "appropriate grade levels and methods of instruction for human sexuality instruction." In 2020, the Texas State Board of Education gave approval for a revamped sexual health curriculum for elementary and middle school students and required parents or guardians to opt-in for their child to participate. ¹⁵ ¹⁶

- Perinatal Services

In defining "other programs critical to the safety and wellbeing of Harris County women and families," the term "perinatal services" refers to services for both mother and infant during the prenatal, pregnancy, postpartum, and postnatal stages.

Perinatal services include a spectrum of services as recommended by the American College of Obstetricians and Gynecologists and the American Academy of Pediatrics, including:¹⁷ ¹⁸ ¹⁹

- Prenatal services:
- Pregnancy services;
- Postpartum services (for mothers up to 12 weeks); and
- Postnatal services (for infants up to one year).

The Texas Health and Safety Code defines perinatal care as ""maternal and infant health improvement services and ancillary services that are appropriate for women and infants during the perinatal period, which begins before conception and ends on the infant's first birthday."²⁰

Information Collection

In assessing family planning programs in and outside of the County, the Analyst's Office conducted interviews and surveys of Harris County health entities, including Harris County Public Health, Harris Health System, and Baylor Teen Health Clinic. The Analyst's Office also interviewed five other city and county health entities across the United States, including Austin Public Health, Travis County, Texas; Cook County Department of Public Health, Cook County, Illinois; Los Angeles County Department of Public Health, Los Angeles, California; Public Health – Seattle & King County, King County, Washington; and San Antonio Metropolitan Health District, Bexar County, Texas.

Harris County family planning clientele data presented in this memo was provided by Every Body Texas for grant years 2018-2021. Every Body Texas is the sole administrator of Title X family planning funding in Texas.

[&]quot; The Title X grant funds are expended across a twelve-month grant year which is from April 1 to March 31 of each year.

BACKGROUND

During the 87th Texas Legislature in 2021, Regular Session House Bill (HB) 1280, known as the "Human Life Protection Act of 2021," passed. The law prohibits any person from performing, inducing, or attempting an abortion, effective 30 days after the date that *Roe v. Wade* was overturned.²¹

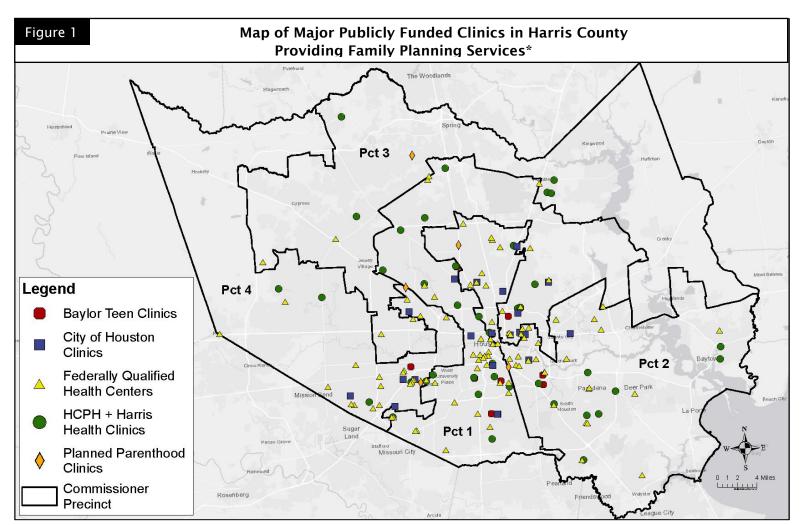
On June 24, 2022, the Supreme Court of the United States overturned *Roe v. Wade* and ended limitations on states' ability to regulate access to abortion.²² As of August 25, 2022, family planning services in Texas have been limited to health services that exclude abortion services.²³ These changes in the law may impact local demand for family planning services.

The Centers for Disease Control and Prevention (CDC), defines family planning services to include contraceptive services, pregnancy testing and counseling, assistance to achieve pregnancy, basic infertility services, sexually transmitted disease (STD) services, and preconception health services as well as related preventive health services, such as breast and cervical cancer screenings, and general preventive health services. Family planning services support "smaller family size and longer interval between the birth of children; increased opportunities for preconceptional counseling and screening; fewer infant, child, and maternal deaths; and the use of barrier contraceptives to prevent pregnancy and transmission of human immunodeficiency virus (HIV) and other STDs."²⁵

Figure 1 presents a map of major publicly funded clinics that provide family planning services in Harris County by commissioner precinct. The clinic locations are separated by type, including Baylor Teen Health clinics, City of Houston clinics, Federally Qualified Health Centers (FQHC), Harris County Public Health and Harris Health clinics, and Planned Parenthood clinics. There is overlap in these groups. For example, in cases where one center is both an FQHC and operated by Harris Health System, the map shows both an overlapping yellow triangle and a green circle, representing one facility.

The CDC's "Providing Quality Family Planning Services" guide identifies services that provide assistance to achieve pregnancy as those for "clients who want to become pregnant"

^w Publicly funded health entities provide a broad range of services and are accountable to provide these services.



*Note: The geographic centroid of each clinic location was used to determine which commissioner precinct a clinic laid within. Clinics were counted only once based on street address and were only located within one commissioner precinct boundary. The clinics displayed include school-based clinics provided by Baylor Teen Health Clinic and other Federally Qualified Health Centers. The map excludes cash-only clinics, mobile clinics, or multiple clinic service types that are located at the same address, such as a family planning and dental clinic existing in the same space by the same provider.

Source: Harris County Public Health, Harris Health System, Baylor Teen Health Clinic, The Health Resources and Services Administration, Houston Health Department, Office of Population Affairs, and Planned Parenthood Gulf Coast

Analysis: Harris County Office of Management and Budget

There are additional non-profit clinics located in Harris County, but not shown on the above map, including cash clinics and faith-based clinics that use multiple funding sources. These clinics are not included in the visual because they are not funded by the city or county or considered a federally qualified health center.

According to information provided by the Harris County Office of Management and Budget, there are 178 major publicly funded clinics that provide family planning services in Harris County. When reviewing clinics by Harris County commissioner precinct, Precinct One leads other precincts with 71 clinic locations—there are 16,667 residents for each major publicly funded family planning clinic location. Precinct Two follows with 60 clinic locations, one per 19,714 residents. Precincts Three and Four have 12 and 35 clinic locations respectively. **Table 1** summarizes the number of clinics and the number of residents per clinic in Harris County that provide family planning or perinatal services by commissioner precinct.

	Major Publicly Funded Clinics in Harris County Providing Family Planning Services by Commissioner Precinct ²⁶				
	Number of Clinics	Number of Residents Per Clinic			
Precinct One	71	16,667			
Precinct Two	60	19,714			
Precinct Three	12	98,004			
Precinct Four	35	33,969			
Total	178				

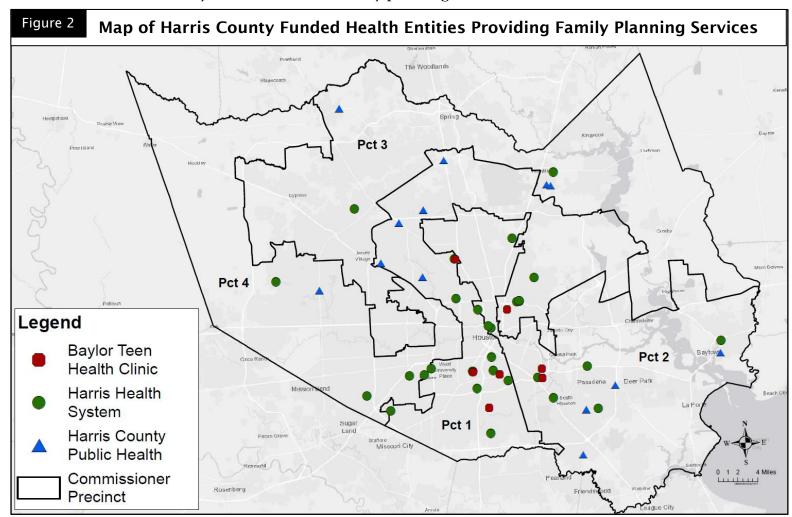
Note: The geographic centroid of the clinic's location was used to determine which Commissioner precinct the clinic lies within. The clinics included those operated by Federally Qualified Health Centers, Harris Health System, Baylor Teen Health Clinic, Harris County Public Health, Planned Parenthood, and included school-based clinics provided by Baylor Teen Health Clinic and other Federally Qualified Health Centers. The analysis excludes cash-only clinics, mobile clinics, or multiple clinic service types that are located at the same address, such as a family planning and dental clinic existing in the same space by the same provider.

Source: Harris County Office of Management and Budget
Analysis: Harris County Office of Management and Budget and the Analyst's Office

HARRIS COUNTY FUNDED FAMILY PLANNING PROGRAMS AND SERVICES

Harris County offers a variety of affordable and no-cost contraception, sexual education, family planning, and other programs critical to the safety and wellbeing of Harris County women and families through the Harris Health System (Harris Health), Harris County Public Health (HCPH), and Harris County Public Health's partnership with Baylor College of Medicine's Teen Health Clinic.

Figure 2 presents a map of Harris County health entities that provide family planning services, and the Baylor Teen Clinics, the only local, privately owned clinics funded by the Harris County General Fund for family planning services.



Note: The geographic centroid of each location was used to determine which commissioner precinct a clinic laid within. Clinics were counted only once and were only located within one commissioner precinct boundary.

Source: Harris County Public Health, Harris Health System, Baylor Teen Health Clinic

Analysis: Harris County Office of Management and Budget

^v Baylor College of Medicine is a private, nonprofit medical school.

According to information provided by the Harris County Office of Management and Budget, there are 50 clinics funded by Harris County that provide family planning services. These clinics include eight Baylor Teen Health clinics, 13 Harris County Public Health clinics, and 30 Harris Health System clinics.

The Harris Health System (Harris Health) is responsible for providing health care and clinical services for the indigent population in Harris County at 39 facilities.²⁷ ²⁸ ²⁹ As a healthcare provider, Harris Health provides all family planning and perinatal services below directly to its patients and through referrals for select services.³⁰ In fiscal year 2021, Harris Health provided care for 18,070 unique clients seeking family planning services.³¹ Harris Health receives federal funding for family planning and perinatal services through Medicaid as well as the Ryan White HIV/AIDS Program.³² ³³

Family planning services provided by Harris Health:34

- Contraceptive services include counseling for all contraceptive options, prescription options, and procedural contraception (long-acting reversible contraception).
- *Pregnancy testing and pregnancy counseling services* include obstetrics screening visits and triage to prenatal care.
- Assistance to achieve pregnancy services include "family planning counseling and considerations embedded in routine well woman visits and gynecology visits."
- *Basic infertility services* include "a workup for infertility and basic services up to ovulation induction for conception."
- Sexually transmitted disease (STD) services include "routine screening for and management of STDs based on guidelines or on clinical indication."
- Preconception health services include "pre-conception counseling visits
 offered for patients with comorbidities, and collaborative management of
 their peri-conception and obstetric care with the relevant services."
- *Related preventive health services* include "routine services within the scope of general obstetrics and gynecology."

Perinatal services provided by Harris Health:35

- Prenatal services^{viii} include "prenatal screening, prenatal visits, and highrisk pregnancy care" provided "by OB-GYNs, Certified Nurse Midwives, nurse practitioners and family medicine physicians."
- Pregnancy services include "routine prenatal care," "midwifery care and the option of the CenteringPregnancy program," "high-risk OB care" provided "by maternal fetal medicine physicians," and "ultrasound and antenatal testing services."
- Postpartum services include "routine three week and six week visits for patients, and closer follow up for patients with peri-partum complications, such as hypertensive disorders of pregnancies."
- *Postnatal services* include infant care through primary care and specialty clinics and referrals for other services as needed.

¹¹ Clinics included in the total offered a range of services. The Harris County health entities all either directly offer family planning and perinatal services or make referrals to services as needed.

The location at 1504 Ben Taub Loop operates both as a Harris Health facility and a Baylor Teen Health Clinic facility. This address was counted in each clinic type's number of clinic but was counted only once in the overall total number of clinics in Harris County.

Harris Health offers prenatal services through 12 health centers. Services include childbirth classes, midwifery services, delivery consultations, and the CenteringPregnancy program.

Unique family planning services provided by Harris Health. Harris Health offers two unique programs: the CenteringPregnancy program and the Maternal Perinatal Addiction Treatment (MPAT) Clinic.

The CenteringPregnancy program allows expectant mothers the opportunity to meet in small groups (8-12 clients) with other expectant mothers who have similar due dates and share the same provider. During the sessions, the provider assesses the health of the expectant mothers, educates them on pregnancy health, and creates a network of support among participants.³⁶ Expectant mothers meet for two hours each session, for a total of 10 times throughout their pregnancies and in early postpartum.³⁷ The CenteringPregnancy program is offered at seven Harris Health locations. ix

In partnership with the Baylor College of Medicine and Santa Maria Hostel, Harris Health also operates a Maternal Perinatal Addiction Treatment (MPAT) Clinic located in Ben Taub Hospital.³⁸ The MPAT Clinic is part of the Maternal Opioid Misuse (MOM) model national project which "aims to improve the quality of care for Medicaid-eligible pregnant women with opioid use disorder."39 Established in August 2019 through a Centers for Medicare and Medicaid Services grant, the MPAT Clinic is multidisciplinary with staff that includes an obstetrician-gynecologist, psychiatrist, psychologist, anesthesiologist, and social worker.40 Patients are able to follow up with an OBGYN through six weeks postpartum and with a psychiatrist through one year postpartum.⁴¹

Harris County Public Health (HCPH) is the local public health entity responsible for providing services such as: community health and violence prevention services, nutrition and chronic disease prevention, environmental public health, public health preparedness, and veterinary public health, among others for Harris County. 42 43 HCPH provides direct clinical services primarily through two Health and Wellness Clinics and ten centers for the Women, Infants and Children (WIC) program. 44 45 x In fiscal year 2021, HCPH provided care for 3,106 unique clients seeking family planning services.⁴⁶ Harris County Public Health receives federal funding for family planning and perinatal services through Medicaid, the Ryan White HIV/AIDS Program, and the WIC program.⁴⁷ 48 49 xi

Family planning services provided by HCPH:50 xii

- Contraceptive services include a wide range of options. The "method of contraception that best fits the patient's lifestyle is determined through a healthy women's exam and education with the clinical provider."
- Pregnancy testing and pregnancy counseling services include pregnancy tests provided to all female patients before decisions made on contraception. Patients receiving positive results are referred to a community partner for care.

* HCPH has two Health and Wellness clinics, the HCPH Humble Clinic and the HCPH Southeast Clinic.

¹⁶ The seven locations are Acres Home Health Center, Aldine Health Center, Casa de Amigos Health Center, Gulfgate Health Center, Squatty Lyons Health Center, Vallbona Health Center, and the OB Clinic at Lyndon B. Johnson Hospital.

HCPH's family planning programs previously also used Title X funds. As of June 2022, HCPH no longer receives Title X funding. Tor basic infertility services and other clinical family planning services not offered, HCPH has stated that they are able to provide referrals to various providers.

- Assistance to achieve pregnancy services include discussions between clinical providers and patients along with education "on the best contraceptive options, whether short or long-term, to prevent or plan for pregnancy."
- *Sexually transmitted disease (STD) services* include STD testing and counseling for positive patients. Treatments for some STDs are available with others being referred to a community partner.xiii
- Preconception health services include discussions between clinical providers and patients along with education "on the best contraceptive options, whether short or long-term, to prevent or plan for pregnancy."
- Related preventive health services include physical reviews and essential lab work.

Perinatal services provided by HCPH:51 xiv

- Prenatal services include "supplemental foods and nutrition education throughout the pregnancy and for up to one year after birth" through the WIC program. The Maternal and Child Health Program also provides "home-visiting health education and resource navigation to care for enrolled clients."
- Pregnancy services include "home-visiting health education and resource navigation to care for enrolled clients" through the Maternal and Child Health Program.
- Postpartum services include well woman and contraceptive services along with WIC benefits up to a year after delivery that include breastfeeding assistance. The Maternal and Child Health Program also provides "homevisiting health education and resource navigation to care for enrolled clients."
- Postnatal services include immunizations for children 6 months to 10 years of age. "WIC provides benefits to infants up to their first birthday and children up to the age of five." The Maternal and Child Health Program also provides "home-visiting health education and resource navigation to care for enrolled clients."

Unique family planning services provided by HCPH. The Maternal and Child Health Program was recently established by HCPH to "reduce risks and empower expectant persons to create a foundation for a healthy family." The program works through a broader program, Accessing Coordinated Care and Empowering Self Sufficiency (ACCESS), and will provide home visit support and parent-child relationship building education with linkages to an array of services such as: counseling and mental health services; prenatal, perinatal, and postpartum care for mothers along with early childhood care for up to three years; food assistance; and job placement support. Open enrollment for the first cohort of participants in the program will begin in January 2023.

*** HCPH does not provide direct clinical care for the perinatal services listed but does provide education and counseling in addition to referrals, screenings, and immunizations of select conditions.

STD tests offered by HCPH include those for Chlamydia, Gonorrhea, Hepatitis, Herpes, and HIV/AIDS, Human Papillomavirus (HPV) Infection. HCPH also offers testing for Bacterial Vaginosis, which is a common, treatable, vaginal condition that can increase your chance of getting an STD.

The Baylor Teen Health Clinic, operated through Baylor College of Medicine, "provides free and confidential primary and reproductive healthcare services" for Harris County residents ages 13-24. ⁵⁶ Baylor Teen Health Clinic has eight locations and had 64,843 service encounters with clients seeking family planning services in fiscal year 2021. ⁵⁷ ⁵⁸ ^{xv} The Baylor Teen Health Clinic receives state and county funding along with federal funding for family planning and perinatal services. ⁵⁹ ⁶⁰

Family planning services provided by Baylor Teen Health Clinic:61 xvi

- Contraceptive services include "all contraceptive methods free of charge."
- Pregnancy testing and pregnancy counseling services include pregnancy testing and counseling provided "by medical staff and master level therapists." Additionally, "any patient with a positive test is offered the opportunity to participate in the Nurse Family Partnership program."
- Assistance to achieve pregnancy services include "counseling and education on maternity and infant care."
- Sexually transmitted disease (STD) services include STD screening, treatment and routine testing. "Patients are provided free of charge medication from the clinics' on-site Class D pharmacy." Expedited partner treatment is also provided free of charge for "patients whose partners are unable to come to the clinic for care and medications." Also, "opt-out HIV screening/pre-posttest counseling are offered to all patients" and "positive patients are provided linkage to care for pre-exposure prophylaxis (PrEP) services."
- *Preconception health services* include preconception counseling services provided by trained social workers and therapists.
- Related preventive health services include annual wellness examinations, outreach for preventive services, immunizations, screenings for "counseling and therapy for behavioral health" with services at no cost for patients with "more serious mental health concerns."

Perinatal services provided by Baylor Teen Health Clinic:62 xvii

- Prenatal services are provided through the Nurse Family Partnership program which "provides comprehensive social and medical support throughout the pregnancy up to 2 years postpartum" through home visitation.
- Pregnancy services are provided through the Nurse Family Partnership program which facilitates "prenatal care among patients through delivery." In addition, "as part of their services, they assist in the completion of their enrollment for labor and delivery services at the hospital of their choice."xix
- Postpartum services include postpartum examinations and contraception at no cost.

[™] Data provided by Baylor Teen Health Clinic presented patient data by service encounters and not individual clients. Encounters may capture repeat clients.

Baylor Teen Health Clinic does not provide basic infertility services.

xvii Baylor Teen Health Clinic does not provide postnatal services.

Baylor Teen Health Clinic does initial pregnancy exams but provides referrals to Harris Health and other providers for other services.

Unique family planning services provided by Baylor Teen Health Clinic. The North East Adolescent Project (NEAP) is an educational outreach component of the Baylor Teen Clinic, with outreach workers travelling to schools, churches, and residences to provide group discussions and workshops that promote a healthy lifestyle for teens. Pregnant and parenting teens receive prenatal and case management support services through NEAP.⁶³

The Nurse-Family Partnership program pairs registered nurses with low-income, first-time mothers to help "improve prenatal care and provide one-on-one child development education and counseling." Participants are enrolled early in the second trimester of their pregnancy and visits continue throughout the teen's pregnancy and until her child is two years old.⁶⁴

MAJOR FEDERAL PROGRAMS PROVIDING PUBLIC FUNDING FOR FAMILY PLANNING AND PERINATAL SERVICES

At the federal level, three key funding sources exist for family planning services: Section 330 of the Public Health Service Act, Title X Family Planning Program, and Medicaid. ⁶⁵ These funding sources fund, in part, the local family planning services provided in Harris County, and these funding sources help to define the types of services available in Harris County.

Section 330 of the Public Health Service Act. Section 330 of the federal Public Health Service Act establishes the Health Center Program in the Bureau of Primary Healthcare within the Health Resources and Services Administration of the United States Department of Health and Human Services. The program determines eligibility and awards grant funding to community-based organizations for the purpose of delivering "comprehensive, culturally competent, high-quality primary health care services to the nation's most vulnerable individuals and families." Referred to more commonly as Community Health Centers (CHCs) or Federally Qualified Health Centers (FQHCs), these centers are required to offer family planning services and may also provide or arrange for other related services, including gynecological care, obstetrical care, cancer screenings, and communicable disease screenings. ⁶⁹

Title X Family Planning Program. The Title X Family Planning Program is the nation's only federal program dedicated solely to family planning and related preventative health services. The program awards service delivery grants to community health centers to provide "high-quality, affordable, and confidential voluntary family planning and related preventive health services, with priority given to low-income clients." The U.S. Department of Health and Human Services' Office of Population Affairs (OPA) provides funds to Title X family planning service grantees at the state level who support local subrecipient service sites. Every Body Texas is the acting administrator of Title X funds for subrecipient service sites in Texas. In March of 2022, the U.S. Department of Health and Human Services announced the awarding of separate funds to expand and restore access of family planning services through Planned Parenthood of Greater Texas.

Medicaid. Established in 1972, the Medicaid program requires states to provide health coverage, including family planning services, for "eligible low-income adults, children,"

pregnant women, elderly adults, and people with disabilities."⁷⁶ Medicaid is jointly funded by states and the federal government but administered by states according to the federal government.⁷⁷

Medicaid requires states include many mandatory benefits, including family planning services, Federally Qualified Health Center (FQHC) services, Nurse Midwife services, freestanding Birth Center services, tobacco cessation counseling for pregnant women, and more. Although federal law requires the provision of family planning services for states' coverage, the law does not specify which family planning services are included, so states have discretion when defining these services for their Medicaid plans.⁷⁸

Two Medicaid programs aim to address care needs during and after pregnancy for low-income families meeting certain eligibility criteria.⁷⁹ Medicaid for Pregnant Women offers low-income women who are pregnant no-cost health coverage up to two months after delivery. Services include "prenatal visits, prenatal vitamins, labor and delivery and postpartum care.⁸⁰ ⁸¹ The Children's Health Insurance Program (CHIP) "provides comprehensive health coverage to eligible children."⁸² States administer the program and have flexibility in customizing their program using federal guidelines. State benefits vary but all programs are required to cover well-baby and well-child care, dental coverage, behavioral health care, and vaccines.⁸³ In Texas, the CHIP Perinatal program is available for unborn children of pregnant women and includes prenatal visits, prescription drug coverage and prenatal vitamins, labor and delivery care, and two postpartum visits for the mother. Women in this program must be uninsured and ineligible for Medicaid. After delivery and leaving the hospital, the child is eligible to receive health benefits through Medicaid or CHIP.⁸⁴ Both Medicaid for Pregnant Women and CHIP Perinatal have income limits based on the federal poverty level.⁸⁵

Medicaid Eligibility in Texas. The State of Texas is only one of 12 states in the country that has not expanded Medicaid under the Affordable Care Act (ACA), which leaves 771,000 Texans without access to comprehensive health services. ⁸⁶ Currently, 22.4% of Harris County residents under the age of 65 are without health insurance. ⁸⁸ Statewide, 45% of adult residents in Texas with incomes under 138% of the federal poverty level (FPL) are uninsured, and 18% of all adult residents in Texas are uninsured, the highest rate for a state in the nation (8.6% residents in the United States are uninsured). ⁸⁹ The 771,000 Texans in the Medicaid "coverage gap" are ineligible for Medicaid and did not qualify for the discounted insurance premiums of the ACA Health Insurance Marketplace. ⁹¹

On August 16, 2022, the Inflation Reduction Act of 2022 extended enhanced subsidies providing no-cost health insurance coverage and year-round enrollment for certain individuals in the ACA Health Insurance Marketplace ⁹² ⁹³ ⁹⁴ ^{xx} ACA Marketplace subsidies are generally available only to people with incomes above the federal poverty limit, leaving uninsured adults with incomes below the poverty line in the Medicaid coverage gap. ⁹⁵ Before Congress enhanced ACA Marketplace subsidies in 2021, everyone above 100% of the federal poverty level (FPL) had to contribute a portion of their household income to acquiring a plan. ⁹⁶ With enhanced ACA subsidies, those between 100 -150% FPL (\$12,880 to

 $^{^{\}text{\tiny ML}}$ The enhanced subsidies were originally approved in the American Rescue Plan Act of 2021 and have been renewed through the Inflation Reduction Act.

\$19,320 a year for an individual or \$26,500 to \$39,750 for a family of four) can now get a plan with comprehensive benefits and a low deductible for a \$0 monthly premium, and subsidies were increased for people earning over 150% FPL, making their coverage much more affordable. In addition, people with incomes over 400% FPL are able to get assistance for the first time as their premiums are capped at 8.5%.

The Health Insurance Marketplace plans are required to cover ten essential health benefits (EHB), including pregnancy, maternity, and newborn care (both before and after birth); pediatric services, including oral and vision care; as well as benefits and coverage for birth control and breastfeeding.^{99 xxii}

From 2021 to 2022, the state of Texas experienced a 42% growth in enrollment, in the ACA Marketplace, an increase of nearly 550,000 people. While the enhanced coverage opportunity does not close the Medicaid coverage gap, it does give many low-income families and individuals a lower cost option for comprehensive health coverage, including access to family planning services, doctor visits, prenatal vitamins, labor and delivery services, well-baby checkups, and other infant benefits. The annual open enrollment period for the ACA Health Insurance Marketplace is from November 1 through January 15. 102

MAJOR FEDERAL AND STATE FAMILY PLANNING AND PERINATAL PROGRAMS IN TEXAS

In addition to the previously mentioned programs and services, there are several programs administered within Texas that provide family planning and perinatal related services. These programs are funded through multiple public sources and administered by various entities, including clinics, contractors, and private providers.

The Special Supplemental Nutrition Program for Women, Infants and Children (WIC) program is a federally funded nutrition program under the jurisdiction of the United States Department of Agriculture. ¹⁰³ Funded annually through the US Senate and House Appropriations Committee, WIC provides perinatal services to low income pregnant, postpartum, and breastfeeding women, as well as infants, and children up to the age of five. ¹⁰⁴ Administered through Texas State Health and Human Services, the WIC program provides supplemental nutritious foods, nutrition education and counseling, as well as screenings and referrals to other health, welfare, and social services. ¹⁰⁵ ¹⁰⁶

The Ryan White Grant Administration (RWGA) for the federal Ryan White HIV/AIDS Program provides "primary medical care and social support services to low-income, HIV-positive individuals" who are either uninsured or underinsured. ¹⁰⁷ As the largest federal program focused on HIV, the Ryan White HIV/AIDS Program was established by Congress through the Ryan White Comprehensive AIDS Resource Emergency (CARE) Act and receives both federal

wiii Other essential health benefits included in the Health Insurance Marketplace include ambulatory patient services, emergency services, hospitalization, mental health and substance use disorder services, prescription drugs, rehabilitative and habilitative services and devices, laboratory services, preventive and wellness services and chronic disease management.

 $^{^{\}text{\tiny{MS}}}$ The enhanced subsidies were originally approved in the American Rescue Plan Act of 2021 and have been extended through the Inflation Reduction Act.

and state funding.¹⁰⁸ In addition to services such as STI screening and treatment, the program offers women who are of reproductive-age reproductive health assessments and care. This includes an assessment of "pregnancy plans and desires assessed and either preconception counseling or contraception.¹¹⁰

Texas Women's Health Services. Texas funds three programs, through the State of Texas' Health and Human Services Commission (HHSC), designated as women's health services and which provide family planning services. The three programs are the Healthy Texas Women Program (HTW), the Family Planning Program (FPP), and the Breast and Cervical Cancer Services (BCCS) program.¹¹¹

Table 3 compares the clients, funding, and eligibility of the three women's health services programs funded through Texas General Revenue and other funds. **Appendix A** supplements Table 2 to include a complete list of services provided by each of the programs.

Eligibility for each of the family planning programs and the perinatal programs mentioned varies.

Overview of State of Texas Women's Health Services for FY2021112				
	Healthy Texas Women (HTW) & Healthy Texas Women Plus ¹¹³ ¹¹⁴	Family Planning Program ¹¹⁵ 116	Breast & Cervical Cancer Services ¹¹⁷ 118 119	
Program Description	Healthy Texas Women is "dedicated to offering women's health and family planning services at no cost to eligible women in Texas." Healthy Texas Women Plus program is "an enhanced, costeffective and limited postpartum services package for women enrolled in the Healthy Texas Women program."	The Family Planning Program "is dedicated to providing accessible family planning and reproductive healthcare to eligible women and men in Texas."	Breast and Cervical Cancer Services program's "goal is to help women receive quality and accessible cancer screening and health services."	
FY2021 Clients ¹²⁰	190,552	108,782	29,232	
Funding	- Texas General Revenue ¹²¹ - Federal Medicaid 1115 Waiver ¹²²	 Texas General Revenue¹²³ Federal Temporary Assistance for Needy Families to Title XX funds¹²⁴ 	 Texas General Revenue¹²⁵ CDC's National Breast and Cervical Cancer Early Detection Program¹²⁶ Federal Temporary Assistance for Needy Families to Title XX funds¹²⁷ 	
Eligibility	 Women Monthly Income ≤ 204.2% of the Federal Poverty Level Ages 15-44 Texas Resident Uninsured Not Currently Pregnant U.S. Citizen or Qualified Immigrant 	 Women and Men Monthly Income ≤ 250% of the Federal Poverty Level Age 64 or younger Texas Resident 	 Women Gross Household Monthly Income ≤ 200% of the Federal Poverty Level Age 64 or younger Texas Resident Must not have access to programs or benefits providing the same services 	

Note: Clients ages 17 and younger must have their parent or legal guardian manage their case and application. The eligibility for these programs differs and requirements for one program do not apply to all.

Source: Texas Department of Health and Human Services
Analysis: The Analyst's Office

REVIEW OF FAMILY PLANNING PROGRAMS AND SURVEY RESULTS

Many factors may impact the need and demand for local family planning services, including the US Supreme Court decision *Dobbs v. Jackson Women's Health Organization*, which limited abortion access in the United States and may increase the local demand for the family planning services provided by Harris County and partners.

To help evaluate how Harris County can promote and expand access to family planning services, the Analyst's Office conducted interviews and surveys with representatives of Harris County's health entities, and heath entities from metropolitan counties located both inside and outside of Texas to assess services provided. The purpose of these interviews and surveys was to:

- 1. Establish the range of family planning and perinatal services currently provided by Harris County health entities,
- 2. Explore how those services may be expanded to meet local need in light of recent changes, and
- 3. Identify novel approaches to providing family planning services for consideration for local implementation.

The entities interviewed and surveyed were:

- Baylor Teen Health Clinic, Harris County, Texas;
- Harris County Public Health, Harris County, Texas;
- Harris Health System, Harris County, Texas;
- San Antonio Metropolitan Health District, Bexar County, Texas;
- Austin Public Health, Travis County, Texas;
- Los Angeles County Department of Public Health, Los Angeles, California;
- Cook County Department of Public Health, Cook County, Illinois; and
- Public Health Seattle & King County, King County, Washington.

The Analyst's Office derived the following key highlights from the interviews conducted and surveys issued to health entities outside of Harris County:

- All eight entities interviewed reported that the impact of *Dobbs* is unknown and that their respective agencies had not implemented and did not plan to implement program or service changes as a direct result of the *Dobbs* decision.
- Two health entities stated that they are currently investigating avenues to expand access to emergency contraceptives.¹²⁸
- Two health entities located outside of Texas stated that they offer mobile healthcare for the homeless, which includes testing and treatment for sexually transmitted illnesses (STIs) and access to contraception. These services are offered either through mobile healthcare buses or mobile healthcare teams.
- One health entity reported the county had developed their own sexual health education curriculum to train educators across the Country.¹³⁰
- Two health entities stated they have specific programs dedicated to providing perinatal health services to women of color who are pregnant or want to become pregnant.¹³¹

Family Planning Services. All health entities who were interviewed or participated in the survey stated that they offer basic family planning services either independently or through partnerships and referrals. This includes providing contraceptives, including long-acting reversible contraceptives (LARCs), sexually transmitted illness (STI) screening and treatment, pregnancy testing and counseling, and other related health services.¹³²

Mobile Health. Two health entities stated that they offer several family planning services to those individuals' experiencing homelessness through mobile healthcare models.¹³³ ¹³⁴ In King County, Washington, the Street Medicine Team offers STI/STD, HIV, Hepatitis C and Syphilis testing, pregnancy testing, and birth control. The program is a partnership between Public Health Seattle and King County and Downtown Emergency Services.¹³⁵

In October 2022, Los Angeles County launched a fleet of mobile medical clinics aimed at providing medical services to those individuals experiencing homelessness. Operated through Housing for Health, a division of the Los Angeles County Department of Health Services, the program currently consists of four semi-trailers which are equipped with full-service exam rooms. In addition to primary care services, each mobile medical clinic will offer womenfocused services, such as cervical cancer screenings, diagnosis for STIs, obstetrics, and prenatal care, among other health services.

In total, the Los Angeles County mobile health program consists of 55-60 staff members which includes medical, administrative, and operational staff. The annual cost of the program is an estimated \$8.8 million, with approximately \$8 million in staffing costs and \$800,000 in services/supply costs. Funding for the program is provided through the Los Angeles County Department of Health Services general fund. 139

Sex Education. King County, Washington stated that they have created a sexual health curriculum, known as FLASH to "prevent teen pregnancy, STDs, and sexual violence" and is available for elementary, middle, high school, and special education classrooms. ¹⁴⁰ Educators interested in implementing the FLASH curriculum may either purchase self-paced training modules or contact Public Health – Seattle & King County to set up remote training sessions. ¹⁴¹ Since its availability in 2015, FLASH training modules have been purchased in 44 states. ¹⁴² Public Health – Seattle & King County also offers a wide array of forms to grantees whose funding requires them to teach the High School FLASH curriculum, such as those funded by the Office of Population Affairs. ¹⁴³

Contraceptives. Both King County and San Antonio Metropolitan Health stated that they are investigating avenues to expand access to emergency contraceptives. King County stated they are investigating the potential for contraceptives and emergency contraceptives to be offered through vending machines, and San Antonio Metropolitan Health stated they would like to offer the Plan B pill in the future. Both entities stated that they currently lack the funding to proceed with these initiatives.¹⁴⁴

Perinatal Services. All health entities who were interviewed or participated in the survey stated that they do not offer a full range of perinatal services. However, all the health entities did state that they work closely with community partners who offer various perinatal services to refer their clients to.

Two health entities interviewed outside of Harris County stated that they have programs specific to offering perinatal services to women of color.¹⁴⁵

Austin Public Health offers the Maternal Infant Outreach Program (MIOP), which provides peer support to African American/Black women who are pregnant and/or parenting a child younger than one year old. Services such as health education, one-on-one home visits, and labor and delivery support are provided by African American/Black community health workers who live in the same communities as their clients. 146 147

The Los Angeles County Department of Public Health offers the African American Infant and Maternal Mortality Initiative.xxiii The goal of the initiative is to "address the unacceptably high rates of Black infant and maternal deaths in Los Angeles County." Services offered through the initiative include, but are not limited to prenatal support groups, home visits, linkage to birth coaches, and a wide array of educational material. 149

Future Family Planning Services. All health entities who were interviewed or participated in the survey stated that they currently do not have any finalized plans to expand their family planning services in the future, but additional funding would be required to do so.¹⁵⁰

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xxiii The Los Angeles County Health Agency is a coalition of the Department of Mental Health, Department of Public Health, and Department of Health Services.

REVIEW OF FAMILY PLANNING CLIENTELE AT HARRIS HEALTH AND TITLE X HEALTH ENTITIES**XIV

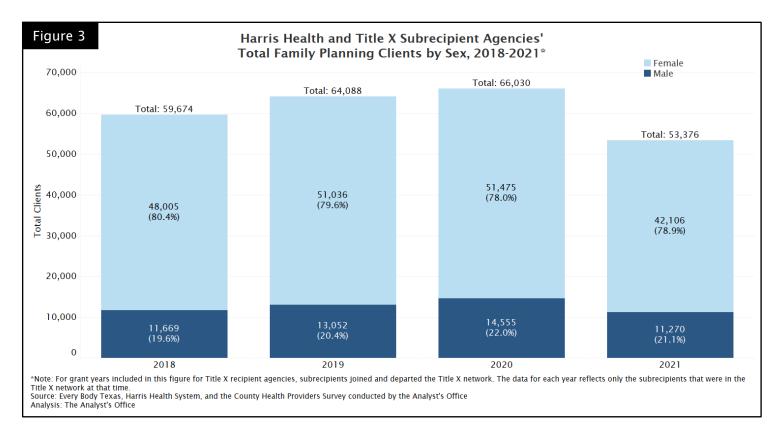
To support a better understanding of the individuals utilizing family planning services in Harris County, aggregate clientele data were collected from partners, as available.

Data reported are from the Harris Health System and Every Body Texas, the state administrator for Title X subrecipient agencies. The Title X subrecipient agencies in Harris County include Avenue 360, Houston Health Department, Harris County Public Health, and Legacy Community Health.xxv Data from the Harris Health System are reported for the agency's fiscal year, March 1 - February 28; all other data are reported for the Title X Program's grant year, April 1 - March 31, when grant funds are utilized by providers.xxvi

xxiv The entities included for Harris County clinics were Harris Health System and Harris County Public Health. Title X subrecipient agencies included Harris County Public Health, Avenue 360, Houston Health Department, and Legacy Community Health. Entities' data were only counted once. Legacy Community Heath was not a subrecipient of the Title X network in GY18 and therefore their data was not included for that year.

^{xxx} Legacy Community Health did not provide data for GY18 as it was not a subrecipient of the Title X network at that time.
^{xxxi} The Title X grant funds are expended across a twelve-month grant year which is from April 1 to March 31 of each year. Harris Health System provided data for a twelve-month period fiscal year which was from March 1 to February 28 of each year.

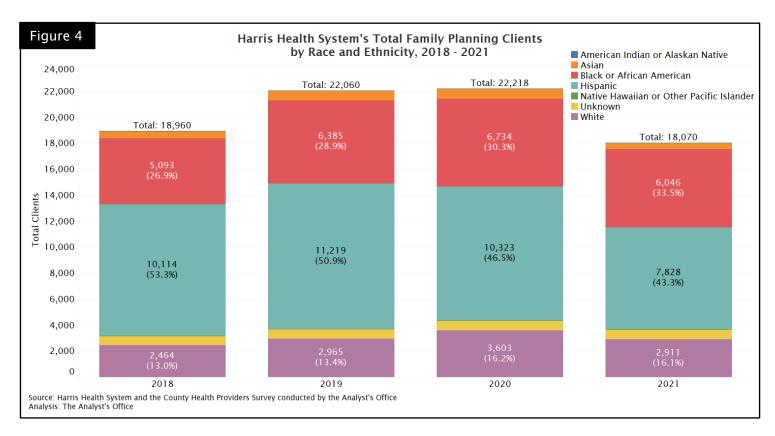
Figure 3 displays the total number of family planning clients of Harris Health and Title X subrecipient agencies by sex from 2018 through 2021. From 2020 to 2021, there is a 19.2% decrease in total family planning clientele for Harris Health and Title X subrecipient agencies. For all four years reviewed, female clients represent over or nearly 80% of the clientele receiving family planning services. In 2020, the proportion of male clients peaks for the years analyzed at 22% of the total clientele.



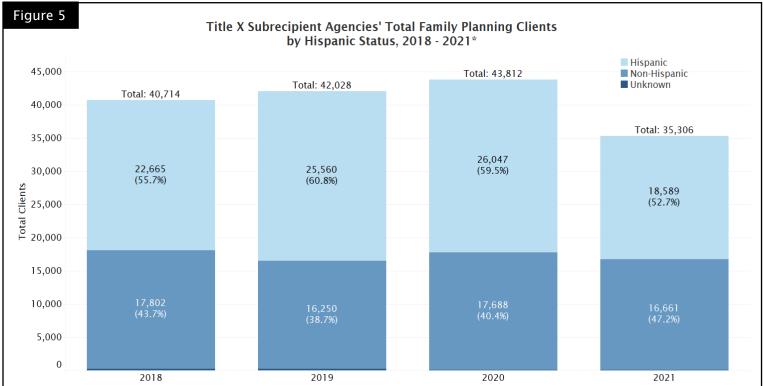
 x_{mon} Harris County Health Entities included Avenue 360, Harris Health System, Houston Health Department, Harris County Public Health, and Legacy Community Health

Collection methods for race and ethnicity data differed between Harris Health and Title X subrecipient agencies provided by Every Body Texas. For this reason, race and ethnicity data is presented separately for Harris Health System and Title X subrecipient agencies.

Figure 4 displays the total number of family planning clients of Harris Health System by race and ethnicity from 2018 through 2021. Clients identifying as Hispanic comprise over 40% of the total clients for the Harris Health System for each of the years analyzed—the largest proportion of clients who received family planning services for each year. Clients identifying as Black or African American represent over 25% of clients who received family planning services from the Harris Health System, the second largest proportion of clients who received family planning services for each year analyzed.

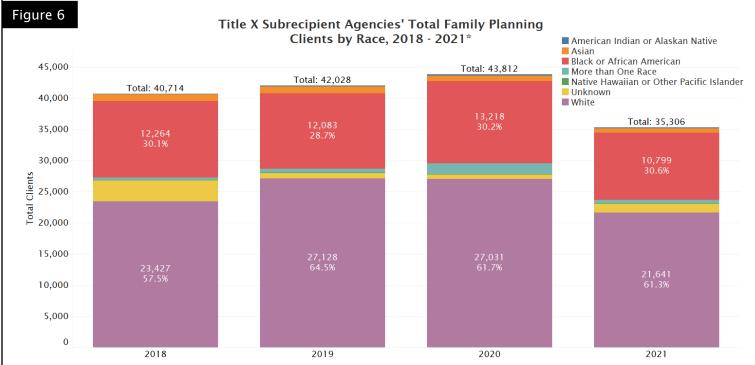


Figures 5 and 6 display the total number of family planning clients of Title X subrecipient agencies by Hispanic status and race from 2018 through 2021. From 2018 to 2021, clients identifying as Hispanic comprise over 50% of the Title X subrecipient agencies' clientele for Harris County for each of the years reviewed. And clients identifying as White represent the largest Non-Hispanic race and ethnic group for clients served at Title X subrecipient agencies for each of the years reviewed.



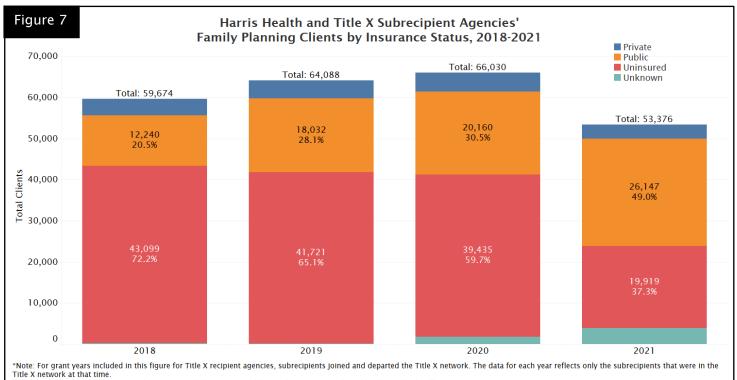
*Note: The Title X grant administrator, Every Body Texas, collects ethnicity for Hispanic clients using the descriptor "Hispanic Status." Unknown Hispanic Status comprised less than .6% of each year's total

Source: Harris Health System and the County Health Providers Survey conducted by the Analyst's Office Analysis: The Analyst's Office



*Note: The Title X grant administrator, Every Body Texas, collects Hispanic ethnicity separate from other race categories. Race and ethnic categories in this figure include Hispanic ethnicity. Source: Harris Health System and the County Health Providers Survey conducted by the Analyst's Office Analyst's Office

Figure 7 displays Harris Health and Title X subrecipient agencies' family planning clients by insurance status from 2018 to 2021. From 2020 and 2021, there is a 49.5% decrease in uninsured family planning clients in Harris County. Conversely, the percentage of clients utilizing public insurance increased by 29.7% from 2020 to 2021.



Source: Every Body Texas, Harris Health System, and the County Health Providers Survey conducted by the Analyst's Office.

POLICY CONSIDERATIONS

There are a number of opportunities for Commissioners Court to promote and expand access to family planning programs and services:

- Monitor and evaluate changing demands for existing services, and consider increases in funding where changes in demand demonstrate need. As recent changes to the law have impacted family planning services, existing programs should monitor and evaluate ongoing changes in demands for various family planning services. The data from Harris County entities included in this report may be considered a benchmark when monitoring the capacity for services. Monitoring and evaluating these trends will better inform the County of evolving funding and program needs, allowing for necessary changes.
- Expand access to family planning services using mobile health services. The County has the option to expand mobile services for family planning, sexually transmitted illness services, and contraceptive access to residents lacking access. Expanding mobile services in underserved areas could help improve access to these services for residents in need.
- Inform residents about enhanced health insurance affordability. Harris County may support the further dissemination of information for U.S. citizens, residents with incomes over the poverty level, and legal immigrants, even if they have incomes under the poverty level, regarding access to affordable ACA Health Insurance Marketplace coverage. Since subsidies were enhanced in 2021, residents with incomes between 100 150% FPL have been eligible for comprehensive, no-premium health coverage and year-round enrollment in the Health Insurance Marketplace. Enhanced subsidies recently extended by the Inflation Reduction Act also expand ACA subsidies to include those with incomes over 400% of the federal poverty level. The marketplace health plans will give many low-income women and their families the ability to access health insurance coverage including access to family planning services.

APPENDIX A

Full List of Family Planning Services Provided by State of Texas Health

and Human Services Women's Health Services ¹⁵²				
	Healthy Texas Women (HTW) & Healthy Texas Women Plus*	Family Planning Program	Breast & Cervical Cancer Services	
Services	 Pregnancy testing Pelvic examinations Sexually transmitted infection services Breast and cervical cancer screenings Clinical breast examination Screening for cholesterol, diabetes, and high blood pressure HIV screening Long-acting reversible contraceptives Oral contraceptive pills Permanent sterilization Other contraceptive methods such as condoms, diaphragm, vaginal spermicide, and injections Mammograms Screening and treatment for postpartum depression Expanded treatment for postpartum depression and other mental health conditions* Services for screening and treatment of cardiovascular and coronary conditions* Screenings, interventions, and referrals for substance use disorders* 	 Pregnancy testing Pelvic examinations Sexually transmitted infection services Breast and cervical cancer screenings Clinical breast examination Screening for cholesterol, diabetes, and high blood pressure HIV screening Long-acting reversible contraceptives Oral contraceptive pills Permanent sterilization Other contraceptive methods such as condoms, diaphragm, vaginal spermicide, and injections Natural family planning counseling Limited prenatal benefits 	Clinical breast examination Screening Mammograms Diagnostic Mammograms Pelvic examinations Pap smear Case management and education Breast ultrasound Breast biopsy Colposcopy Loop Electrosurgical Excisional Procedure (LEEP) Cervical biopsy Cervical cryotherapy Cervical conizations	

^{*} HTW Plus services
**Clients ages 17 and younger must have their parent or legal guardian manage their case and application



The Harris County Commissioners Court's Analyst's Office provides the Harris County Commissioners Court members with objective, nonpartisan, and timely fiscal and policy analysis related to the efficiency and effectiveness of various County operations.

This report was prepared by Jessica Mahana, Analyst and Ramin Naderi, Analyst.

Commissioners Court's Analyst's Office 1001 Preston St., 7th Floor Houston, Texas 77002

Main: (832) 927-6900 Email: <u>info@ccao.hctx.net</u>

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